IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C).No. 18983 of 2006(I)

PETITIONER:

K. MONI,
PEECHAMPILLIL, KOOVAPPADY P.O., KODANADU.

BY ADV. SRI.N.K.KARNIS
SRI.LATHEESH SEBASTIAN

RESPONDENTS:
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1. THE KOOVAPPADY GRAMA PANCHAYATH,
PERUMBAVOOR, ERNAKULAM DISTRICT, REPRESENTED BY
ITS SECRETARY.

2. THE CHIEF ENVIRONMENT ENGINEER,
POLLUTION CONTROL BOARD, REGIONAL OFFICE,
GANDHI NAGAR, COCHIN-20.

3. DISTRICT MEDICAL OFFICER,
DISTIRCT MEDICAL OFFICE, ERNAKULAM.

4. THE DISTRICT COLLECTOR,
COLLECTORATE, ERNAKULAM.

5. THE ASSISTANT DIVISIONAL OFFICER,
FIRE AND RESCUE DEPARTMENT, ERNAKULAM.

6. BROTHERS POLYMERS,
THOTTUVA, KOOVAPPADY P.O., PERUMBAVOOR,
REPRESENTED BY THE MANAGING PARTNER, S.PAULACHAN.

BY ADV. SRI.WILSON URMESE
SRI.N.MANOJ KUMAR
SMT.JAYASREE MANOJ
SRI.M.K.CHANDRA MOHAN DAS, SC, POLLUTION CONTROL BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.18983 OF 2006 APPENDIX

Petitioner's Exhibits

Ext.P1: True copy of the Certificate issued by the Villager Oficer, Kadanad dated 14-7-2006

Ext.P2: True copy of the complaint submitted before the 4th respondent dated 5-10-2005

Ext.P3: True copy of the complaint submitted before the 2nd respondent dated 24-10-2005.

Ext.P4: True copy of the complaint submitted before the 1st respondent dated 4-11-2005

Ext.P5: True copy of the complaint submitted before the 1st respondent dated 5-12-2005.

Ext.P6: True copy of the report of the Tahsildar, Kunnathunadu to the 4th respondent dated 5-9-2005

Ext.P7: True copy of the communication issued by the 3rd respondent to the 1st respondent dated 13-12-2005

Ext.P8: True copy of the report of the 2nd Respondent dated 17-1-2006

Ext.P9: True copy of the application submitted by the petitioner before the 1st respondent dated 31-12-2005

Ext.P10. : True copy of the communication issued by the 1st respondent dated 3-3-2006

Ext.P11: True copy of the memo issued by the 1st respondent to the 6th respondent dated 13-2-2006

Ext.P12: True copy of the Complaint submitted by the petitioner before the 1st Respondent dated 21-2-2006

Ext.P13-True copy of the relevant part of the representation submitted by the petitioner before the 1st respondent dated 27-3-2006.

Ext.P14- True copy of the representation submitted by the petitioner before the 5th respondent dated 7-4-2006.

Respondent's Exhibits

Ext.R6(a) True photocopy of the license bearing No.94/96-97 dated 30-10-96 issued by the 1st respondent

Ext.R6(b): True photocopy of the proceeding bearing No.A4-105/2005-06 dated 2-8-2005 of the 1st respondent

Ext.R6(c) True photocopy of the Permit No.PCB/P/10/2000 dated 2-3-2000 issued by the Kerala State Pollution Control Board

Ext.R6(d) : True photocopy of the order bearing REGN No.PCB/PR/10/2004 dated 1-11-2004 issued by the Kerala State Pollution Control Board.

Ext.6(e) True photocopy of the decision of the 1st respondent dated 10-2-2006

Ext.R6(f) True photocopy of the order bearing No.A3-541/05 dated 13-2-2006 of the 1st respondent

//True copy//

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PIUS.C.KURIAKOSE .J

W.P.(C) No.18983 of 2006

Dated this the 19th day of March 2007

JUDGMENT

It is not necessary that this Court goes into the merits of the various grounds raised in the writ petition. The licence presently issued by the Local Authority is expiring on the 31st March 2007. I am informed that the 6th respondent will have to approach the Pollution Control Board seeking issuance of renewed consent without which the 6th respondent will not be entitled for renewal of licence.

The writ petition will stand disposed of directing the Pollution Control Board to hear the petitioner on all the grounds he wants to urge against issuance of consent to the 6th respondent before a decision is taken on the question of issuing renewed consent to the 6th respondent.

PIUS.C.KURIAKOSE .JUDGE

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